

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|--|--|--|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 41027/AJ/cd U.S. APPLICATION NO. (if known, see 37 CFR 1.5) Still unknown, 10/558892 |
| INTERNATIONAL APPLICATION NO. PCT/EP2004/006323 | INTERNATIONAL FILING DATE JUNE 11, 2004 | PRIORITY DATE CLAIMED JUNE 25, 2003 |
| TITLE OF INVENTION MIXING AND DISTRIBUTION DEVICE FOR FIXING PASTE, PARTICULARLY FOR MULTICOMPONENT BONE CEMENT | | |
| APPLICANT(S) FOR DO/EO/US Gianfranco BIDOIA | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. <input checked="" type="checkbox"/> The US has been elected (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Items 11 to 20 below concern document(s) or information included: | | |
| <ol style="list-style-type: none"> <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> A preliminary amendment. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A power of attorney and/or change of address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Other items or information: Redrafted claims 29-56 for entering the preliminary amendment and new abstract of the disclosure. | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | | |
|--|---|---|---|---------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) Still unknown | | INTERNATIONAL APPLICATION NO. PCT/EP2004/006323 | ATTORNEY'S DOCKET NUMBER 41027/AJ/cd | |
| The following fees have been submitted | | CALCULATIONS PTO USE ONLY | | |
| 21. <input checked="" type="checkbox"/> Basic national fee..... | | \$300 | \$ | 300.00 |
| 22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... All other situations..... | | \$100 \$200 | \$ | 200.00 |
| 23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... International Search Report prepared and provided to the Office..... All other situations..... | | \$100 \$400 \$500 | \$ | 500.00 |
| TOTAL OF 21, 22 and 23 = | | \$1000.00 | \$ | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | |
| - 100 = | /50 = | | x \$250 | \$ |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)). | | \$ | | |
| CLAIMS | | NUMBER FILED | NUMBER EXTRA | RATE |
| Total claims | | 28 - 20 = | 8 | x \$ 50 |
| Independent claims | | 1 - 3 = | | x \$200 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$ |
| | | TOTAL OF ABOVE CALCULATIONS = | \$ | 1400.00 |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½. | | | | |
| | | SUBTOTAL = | \$ | 700.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | + | \$ | |
| | | TOTAL NATIONAL FEE = | \$ | 700.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | + | \$ | 40.00 |
| | | TOTAL FEES ENCLOSED = | \$ | 740.00 |
| | | Amount to be refunded: | \$ | |
| | | Amount to be charged: | \$ | |
| a. <input type="checkbox"/> | A check in the amount of \$ _____ to cover the above fees is enclosed. | | | |
| b. <input checked="" type="checkbox"/> | Please charge my Deposit Account No. <u>13-3860</u> in the amount of \$ <u>740.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. | | | |
| c. <input checked="" type="checkbox"/> | The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-3860</u> . A duplicate copy of this sheet is enclosed. | | | |
| d. <input type="checkbox"/> | Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | |
| SEND ALL CORRESPONDENCE TO: MODIANO & ASSOCIATI Via Meravigli, 16 20123 MILANO - ITALY EUROPE Phone: +39 02 85.90.77.77 Fax: +39 02 86.38.60 Milan, Italy - November 25, 2005 | | | | |
| | | SIGNATURE  Albert JOSIF | NAME 22,917 | |
| | | | REGISTRATION NUMBER | |



IEP4 Rec'd PCT/PTO 01 DEC 2005
10/558892

MODIANO, JOSIF, PISANTY & STAUB

EUROPEAN PATENT ATTORNEYS** U.S. PATENT AGENTS*

Via Meravigli, 16 – I-20123 MILANO – ITALY

Phone IT+02+85907777 Fax IT+02+863860

DR. ING. G. MODIANO* ** (Reg. No. 19,928)
DR. ING. A. JOSIF* ** (Reg. No. 22,917)

DR. ING. M. PISANTY*

DR. ING. G. STAUB*

Daniel J. O'BRYNE** (Reg. No. 36,625)

DR. ING. N. ZANOTTI*

S. L. A. MODIANO*

Milan, Italy – November 25, 2005

RE: New U.S. Patent Application in the name of Gianfranco BIDOIA to be filed as confirmation of application No. PCT/EP2004/006323 of June 11, 2004

Agent's docket: 41027/AJ/cd

Hon.
COMMISSIONER OF PATENTS AND TRADEMARKS
MAIL STOP: P.C.T.
WASHINGTON 20231 D.C. - U.S.A.

Sir,

Applicant desires processing of the above International Application in the national U.S. phase under P.C.T..

This is to enclose:

- 1) Transmittal letter in duplicate; Authorization (Form PTO-1390) to collect US \$ 740.=;
- 2) Assignment to BIDOIA S.A.S. DI GIANFRANCO BIDOIA E C.;
+ Deposit Account Order for the Assignment fee in the amount of US \$ 40.=;
- 3) Specification and claims with combined declaration and power of attorney duly signed on November 21, 2005 and attached thereto for the above Patent Application;
- 4) Five formal drawings accompanying the specification;
- 5) Preliminary Amendment with new claims 29 to 56 and new abstract of the disclosure;

We further enclose the following documents:

- 6) Notification of the International Application Number and of the International Filing Date;
+ Copy of the Request;
- 7) Notification concerning submission or transmittal of Priority Document;

- 8) Notification of transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration;
+ International Search Report and cited references;
+ Information Disclosure Statement under 37 CFR 1.97(b);
- 9) Notification concerning transmittal of copy of International Application as published or republished; + Copy of publication of International Application;
- 10) First Notice informing the Applicant of the communication of the International Application to the designated offices;
- 11) Second and Supplementary Notice informing the Applicant of the communication of the International Application to the designated offices.

The priority date of the Italian Patent Application PD2003A000139 of June 25, 2003 is respectfully claimed.

The Certified Copy thereof was duly submitted at WIPO on July 9, 2004.

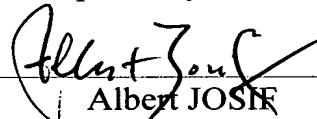
Please place of record in the file the enclosed papers and kindly acknowledge receipt thereof.

Will you please collect immediately the credit specified in the deposit account order, so as to allow the Application to receive an earliest filing date, however within:

DECEMBER 25, 2005.

Thanking you in advance,

Respectfully submitted



Albert JOSIF
(Reg. No. 22,917)